

DUCK POND BID OF DILLINGHAMS

(From Thursday's Advertiser.)

The Hawaiian Dredging Company was the lowest bidder yesterday for the contract to fill the duck ponds on the Waikiki military reservation. The bids were opened in the office of Major Winslow, Engineer Corps, the Hawaiian Dredging Company's bid being 38 1/2 cents per yard, and the bid of a company headed by Mr. Morgan 60 cents.

The Hawaiian Dredging Company agrees to fill in the ponds at the rate of 40,000 yards per month against a total of about 120,000 yards. The Morgan company offered to fill 7500 yards per month. There is now available a Federal appropriation of \$45,000 to do the work. There is one big pond where the artillery barracks are to be erected which will require the major portion of the filling and which will eat up most of the \$45,000. At the rate of progress proposed by the Dillingham company the work will be completed in about three months after the start.

The company proposes to use the dredger Pearl by taking it in through the narrow channel opposite the Brown place at Waikiki beach and inside the reef and dredge material out of the coral there. The material will be pumped over to the duck ponds by hydraulic pressure and when the work is finished the new-made ground should be hard and compact and not likely to depress. The dredging will be done mainly opposite the old Afoong place on which the two big gun batteries are now being constructed.

FAIRBANKS SPEAKS OF THINGS IN KOREA

TOKIO, June 26.—Before leaving Seoul for the northern part of Korea today, former Vice-President Charles Warren Fairbanks prepared the following statement giving his impressions of the Japanese rule in Korea.

He said: "The political, social and industrial condition of Korea is steadily improving and this improvement commenced with the establishment of the Japanese protectorate. Much of this progress was made under the far-sighted statesmanship of Prince Ito. The regeneration of this country has been well started and I find everywhere evidence of the high purpose of Japan toward Korea and the Koreans. Foremost among these was the establishment of a judicial system, next the introduction of good schools. I find that the Japanese are establishing excellent public medical, legal and agricultural colleges and this means everything to the people of Korea."

"Foreign missionaries are now working in full cooperation and with the utmost confidence in the Japanese protectorate. The influence of the missionaries upon the natives is excellent. The insurrection has completely subsided and good order has been generally established throughout the country. The Japanese are devoting their energies to the development of the natural resources of Korea, and in this connection I was glad to find that 75 per cent of the mineral products are controlled by Americans."

"In conclusion I will say, education and honesty are the prime essentials necessary for the complete regeneration of Korea and both of these are being used by the Japanese protectorate. Japan has a delicate task, and one that will doubtless tax her statesmanship, but I have every reason to hope for the full success of her present policy."

DRYDOCK CONTRACTOR CAME LAST NIGHT

(From Thursday's Advertiser.)

S. G. Hinds, president of the San Francisco Bridge Company, which was awarded the Pearl Harbor drydock contract by the Federal government for about \$1,700,000, arrived from San Francisco last evening on the Hiloian. He was met by Walter Dillingham and George Denison of the Hawaiian Dredging company, which is now engaged in dredging the channel to Pearl Harbor. The latter company is quite likely to have a share in the excavation of the drydock basin.

Mr. Hinds stated last evening that he brought no equipment with him, but came down to inspect the site and ascertain the utilities required to start the great work.

The major part of the dock will be excavated from the shore in, but a portion of the dock will be built out in the harbor. Whether there will be dry-dock excavating or all-water dredging, with dredgers working in from the harbor, is not yet decided. The rock and coral strata at the site, according to the borings, comprises large tree coral and is friable. The dredging company in its work on the Queen Emma point has so far encountered little extremely hard substance, and little blasting has had to be done.

The draught of the dock over sills will be 35 feet. Concrete will be used throughout in the walls and floor, and that this work may be expedited several hundred men may be employed on the entire work. Rock for aiding in the concrete work is to be obtained here, the government authorities having had official reports that the material here is satisfactory.

OVER THIRTY-FIVE YEARS.

In 1872 there was a great deal of diarrhoea, dysentery and infantile cholera. It was at this time that Chamberlain's Colic, Cholera and Diarrhoea Remedy was first brought into use. It proved more successful than any other remedy or treatment, and has for thirty-six years maintained that record. Nine Chemists out of ten will recommend it when their opinion is asked, although they have other medicines that pay them a greater profit. For sale by all dealers, Benson, Smith & Co., agents for Hawaii.

THE MERCHANTS WANT TO KNOW

There is a small-sized revolt by heads of departments against the legislature's concurrent resolution requiring the auditor of the territory to advertise for tenders for supplies for all departments of the territorial government for the biennial period. The auditor has gone ahead and advertised for tenders, having compiled a long list of all necessities required by departments. The auditor states that he is carrying out the wishes of the legislature, according to this resolution, and if the heads of departments do not abide by the result, that, he says, is not "up to him," but "up to them."

Attorney General Hemenway says that the concurrent resolution is merely an expression of opinion by the legislature upon the subject of the furnishing of supplies to the departments, and is not a law, and therefore has no force and effect, and may fall by its own weight, or rather lack of weight, if the heads do not desire to obtain their supplies through the auditor. The lowest bidder, therefore, under the auditor's call for tenders may or may not receive consideration. That is up to the heads and there is nothing in the law compelling them to purchase according to the tenders.

Auditor Fisher states that many merchants have called upon him for lists of the items and the tenders are to be in by Saturday next. It is thought that the merchants, generally, are making no great effort to respond to the auditor's call for tenders. Some heads of departments say that prices may fluctuate, and of course the government should get the benefit of any fluctuation the market affords, and six months' tenders through a "purchasing agent" although such an officer under the law does not exist, may make this difficult. President Mott-Smith of the Board of Health has gone ahead on his own hook and advertised for bids for his department, paying no attention to the auditor's call. In fact the Board of Health president has some strong views on the purchasing of supplies, and these are set forth very succinctly in a communication which he recently forwarded to the auditor. The whole question of whether the concurrent resolution holds water or not was prompted a short time ago by a letter from the Chamber of Commerce directed to the auditor asking for light on the subject. The inquiry and the auditor's response are given in the following interchange of correspondence:

Honolulu, June 28, 1909.
Mr. J. H. Fisher, Auditor, Territory of Hawaii, Honolulu.

Dear Mr. Fisher: I am directed by our President, Mr. James F. Morgan, to state that since the publication of your notice—"Tenders for Supplies"—he has been asked by several members of the Chamber of Commerce by what authority this plan has been adopted.

Any information you may be able to impart in regard to the matter will be appreciated.

Yours very truly,
H. P. WOOD,
Secretary, Honolulu Chamber of Commerce.

Honolulu, June 30, 1909.
H. P. Wood, Esquire, Secretary, Chamber of Commerce, Honolulu.

Dear Sir: Replying to your communication of the 28th inst., regarding publication of my notice for "Tenders for Supplies", I have to say that the notice is published in conformity with a concurrent resolution passed by the House of Representatives on the 14th, and by the Senate on the 15th day of April, 1909, and of which the following is a copy:

"CONCURRENT RESOLUTION.
"Be It Resolved by the House of Representatives of the Legislature of the Territory of Hawaii, the Senate Concurring.

"That it is the sense of the Legislature that the Auditor of the Territory shall, semiannually, make public advertisement for tenders for furnishing current supplies to all departments of the territorial government for the next ensuing six months period, and shall notify the heads of such departments of the name or names of the bidder or bidders whose tenders are deemed by him to be most satisfactory and that for such period, so far as practicable, the current supplies shall be purchased only from such bidder or bidders in accordance with such tenders.

"Yours very truly,
(Signed) "J. H. FISHER,
"Auditor, Territory of Hawaii."

CHANCE OF RELIEF TO OUR ISLANDS

WASHINGTON.—The two novel features of the Humphrey bill are free ships and a new system of tonnage taxes. At present Americans owning foreign-built ships are not permitted to fly the American flag over them or have them admitted to American registry unless they are more than half built in American shipyards. The bill proposes to admit to American registry foreign-built steamers of 5000 gross tons or more, wholly owned by Americans. These ships are to be restricted to foreign trade or trade with the Philippines and Hawaiian Islands, and are to be barred from the coastwise trade and from mail compensation under the act of 1891 or the Humphrey act.

FINDINGS OF THE CORONER.

The following verdicts were rendered yesterday by coroner's juries:
"George Tietzin came to his death on the 3rd day of July, 1909, from strangulation caused by hanging himself to a bedpost with suicidal intent."
"John Doe, name unknown, came to his death on or about the 27th day of July, 1909, from strangulation caused by hanging."

THE JAPAN TIMES KNOWS NO GOOD OF FRED MAKINO

The following is from the Japan Times of June 18:

We do not hesitate to accept as fairly correct the official dispatch on the strike condition in Hawaii, which we publish elsewhere, though it is in some respects at variance with press telegrams hitherto received on the subject. Nor do we make this assertion gratuitously. We personally know something of the antecedents of the agitator Makino, whose name must be now familiar to our readers through the cuttings we have recently reproduced from a Hawaiian paper and also through Mr. Castle's interview. To our knowledge he is not at all a man incapable of doings ascribed to him, and it is very unfortunate that a character like him together with Negoro, who is not known to us, should have gained any sort of influence in a place like Hawaii, where all unprejudiced reports have hitherto agreed in saying that our laborers are squarely treated, being themselves well content. We are also not unacquainted with the views ventilated through the Nippu Jiji; they are certainly not those likely to be countenanced by any intelligently

informed and fair-minded Japanese. Taken all together we should regard the strike at Hawaii as nothing very serious, which would soon readjust itself satisfactorily to both sides if left to the employers and the employed, inasmuch as our laborers in Hawaii have not yet developed any symptoms of organized hostility toward capital.

As to the alleged illegality of action on the part of the Hawaiian authorities in connection with the arrest of the Nippu Jiji's editor and others, it is practically denied by the official dispatch; though details are still lacking. In any case it will be rash to form any offhand opinion on the strength of press advices which are obviously biased. And if there should be felt any anxiety in any quarter as to whether the Imperial government would interfere in the matter one way or another, we should regard it as wholly unnecessary. The Japanese in Hawaii are under the protection of the Hawaiian government or call it American government to be more particular, and we should have more than mere newspaper dispatches and expostulations from interested parties before our government is moved to any sort of action. In the circumstances it is most desirable that the public in America and at home be not misled by one-sided sensational reports.

JULIAN HAYNE PUTS UP NOVEL DEFENSE IN NEW YORK

NEW YORK, June 16.—A novel defense to a grand larceny charge is to be made by James D. Hallen, otherwise known as Julian Hayne, now on trial for swindling the Nicaragua government out of \$11,000. Hallen admits getting the money, but says it was to have been spent in securing arms to be used against the Republic of Guatemala and that he acted as the secret agent of Guatemala in preventing the use of the money for that purpose.

In his travels Hallen learned a great deal about Central and South American republics and people and his inside information brought to his attention in 1907 that Raymond Echesarette, New York agent for the Nicaragua government, was trying to buy arms and cartridges in New York. Hallen met Echesarette and assured him that he was just the man to get cheaply the 1,100,000 Remington cartridges wanted. He got the contract for \$11,000 and promised to deliver the goods at Pier 25, North River.

After getting the contract Hallen had 1100 boxes made in exact imitation of the kind in which cartridges are shipped, and filled them with copper dross, used as ballast. Hallen collected the \$11,000 on the bills of lading, and then took another trip to South America to look things over.

When the boxes reached Bluefields they were opened with much ceremony by the present Nicaragua consul general at New Orleans, who had been appointed the head of a special committee to examine them. When the committee had gone through the last box and found only copper dross there was much Spanish profanity. The consul general from New Orleans has come on to tell what he found, and Hallen, who was arrested on his return from his travels, is charged with grand larceny in the second degree as a second offense.

FIREBALLS PLAYED TAG UPON THE BEN LEE'S YARDARMS

Corposants playing tag upon the yards of the fine British ship Ben Lee, which arrived from Leith, Scotland, on Tuesday afternoon, were among the interesting sights witnessed by the crew on the long voyage around the Horn to Honolulu. These corposants, St. Elmo's fire, otherwise globular lights in the nature of electric glow, visited the ship on nights when the sky was darkly overcast and the elements were in turmoil.

Captain Anderson has prepared a statement of the beautiful displays, and will hand it in to the local director of the United States weather bureau. To the superstitious these night visitants might appear ghostly. They are weird blossoms of an electrified atmosphere, and are always watched with deep interest.

The corposants balanced upon the trucks, and then ran along the yardarms and down the chains from one yard to another, always going swiftly. They perched upon the trucks and then leaped to the shackles at the ends of the yards. The entire display was all aloft, never descending to the body of the ship. The corposants seen by Captain Anderson and his crew were quite large and glowed as brilliantly as electric arcs.

The ship met heavy weather on most of the long trip, which consumed 161 days. In one of the squalls a topsail was ripped to ribbons. The hatches were opened yesterday and an inspection made by Captains Clark and Anderson and a customs official, of the main hatch, under which nitrates and other fertilizing adjuncts were stowed, to ascertain their condition. Toward the end of the voyage this hold produced gaseous vapors that entered the sleeping quarters of the officers and crew.

The vessel brought a large cargo, comprising about 3737 tons, including 1500 cases of liquor, pig iron, bricks and nitrates. The Ben Lee is about sixteen years of age and was named after one of Scotland's famous mountains. A feature of the working parts of the rigging is the use of winches for bracing the yards, saving much rope and manual labor. These are the patents of Captain Howe. Another such winch is called the halyard winch, which has similar use to the yard machines. The Ben Lee is at the Hackfeld wharf.

TO STUDY AMERICA.

His Excellency Meh Hung Chun, vice president of one of the important governmental boards of the Imperial Chinese government at Peking, is a passenger on the Mongolia, bound for Washington. He bears a commission from the Prince Regent of China to study the American railroad systems and the operations of the Interstate Commerce Commission, with a view to the suggestion of reforms in the administration of the Chinese government railways. He expects to stay at least a year in the United States. He is accompanied by his wife and four small children, and is attended by a retinue of servants. He expects to place his two older boys, twelve and ten years of age, in school to begin their English education.

Folled Zelaya's Plot.

John F. McIntyre, Hallen's counsel, told the court today that he intended to prove that Echesarette and others were in collusion with President Zelaya and others to secure in the United States materials with which to begin a war which was intended to make Zelaya the head of all the Central American States.

Zelaya, McIntyre said, had planned to secure by force of arms the election of presidents in the Central American republics who would resign at his word and leave him president of the United States of Central America. Guatemala had learned of this plan, McIntyre says, and had appointed Hallen its secret agent to see that the munitions purchased in the United States by Echesarette never reached Nicaragua.

Any other course of action, Mr. McIntyre said, would have been a violation of the United States law, which provides that any one who "begins on United States territory to provide or conspire for a revolution against a country which is at peace with the United States is guilty of high misdemeanor."

Consul Refuses to Testify.

Echesarette died in Roosevelt Hospital in 1907, shortly after concluding his arrangement with Hallen. In an effort to prove a part of Hallen's story, Mr. McIntyre subpoenaed Raymond Bengoechea, the Guatemalan consul general in New York. Senor Bengoechea sent his lawyer to tell Judge Malone that he would stand on his consular rights and would refuse to testify. Mr. McIntyre announced that he would test Senor Bengoechea's right to refuse.

It is expected that if Hallen takes the stand in his own defense, his testimony may make it vital for the district attorney to secure that of Consul General Bengoechea, and in that event, heavy pressure will be brought to make Senor Bengoechea talk.

SIX MONTHS FOR EDWARD PARKER

(From Thursday's Advertiser.)

Edward Parker, the negro, was yesterday sentenced by Circuit Judge Whitney to a term of six months' imprisonment in the Territorial prison, the jury in the case having returned a verdict of guilty of assault and battery, the maximum penalty for which was imposed by Judge Whitney.

The jury in the case retired for its deliberation in the morning and at the noon hour the announcement was made from the jury room that the division was six to six, with no possibility of a verdict being returned. Luncheon seemed to have a good effect upon the jurors, however, and a compromise verdict was finally reached, Parker being found guilty on the minor charge. The original accusation against him was "assault with a weapon obviously and imminently dangerous to life," in this case a bottle with which Parker struck Police Officer Apana.

It was the intention of the prosecution to allow Parker to leave the Territory after he was released on bail, but he declined to take advantage of the opportunity and his conviction yesterday was the result of his desire to remain in Hawaii, even if he had to be in prison for awhile.

Wife Must Pay.

Through a decision by the Supreme Court yesterday on the exceptions from the Circuit Court in the case of N. S. Sachs Dry Goods Company, Ltd., against Annie K. Hart, the defendant being the appellant, it is held that a married woman can make contracts for the purchase of necessities for which her husband is not responsible and for which she must pay the bill. The opinion of the court is by Chief Justice Hartwell, and the text of the opinion is as follows:

"The defendant's exceptions are taken to rulings denying her motion to quash the return of a writ of scire facias on the ground that it failed to state the time when and the manner in which service was made, the return, signed by an officer, being: 'Served the within petition and writ as follows: Upon Annie K. Hart, alias Mrs. Edmund H. Hart, at Waikuku, County of Maui, Territory of Hawaii, this first day of May, A. D. 1909,' and deciding that execution issue on the judgment sought to be revived by scire facias notwithstanding the plaintiff's answer claiming that it was void because predicated upon a contract for necessities for which not the defendant but her husband was liable. The action was for goods sold and delivered and upon an account stated. The defendant first filed a general denial, which she withdrew, afterward filing a confession of judgment, upon which a judgment was entered May 29, 1905, for the sum claimed. The petition for a writ of scire facias was filed April 29, 1909, the writ issuing the following day. After the denial of the motion to quash the return, the defendant appeared generally and answered.

"The Statute, Sec. 1721 R. L., requires service by delivery to the defendant of a certified copy of the summons and of plaintiff's petition, and it might be well that this be shown in the return, although the statute does not require it, but the failure to do so does not invalidate the return. The presumption is, in the absence of a showing to the contrary, that the service was made in the manner required by statute. The statute which authorizes a married woman to make contracts and to sue and be sued is not confined to contracts for purchases which are not necessities nor does it preclude her from contracting to pay for articles which the husband is bound to furnish. The right to make such contracts implies liability to be sued upon them and the right to confess judgment in the action. Moreover, a defense available in the action can not be made for the first time in a proceeding to revive the judgment by scire facias if there was jurisdiction over the case. Van Fleet, Collateral Attack, Sec. 580, and cases there cited. 'Exceptions overruled.'

A petition for the probate of the will of the late Stephen Higgins and the issuance of letters of ancillary administration was granted yesterday by Judge De Bolt to the Hawaiian Trust Company. At the time of his death in May, 1908, Higgins was living at Raitea, in the Society Islands. The value of his estate within the Territory of Hawaii is approximately \$9,438.75. The bond fixed by Judge De Bolt is \$7600.

A general denial to the allegations in the complaint has been filed by the defendants through their attorneys, Holmes, Stanley & Olson, in the case of the Hawaiian Trust Company against Hugh Galbraith. The statute of limitation will be relied upon by the defendants.

THE DEATH OF "UNCLE" GEORGE T. BROMLEY

Uncle George Bromley, the sage of the Bohemian Club, San Francisco, died on June 30, aged 92 years. The Chronicle says of him that "few men had more diversified talents or led more diversified lives than he. In the fullness of his life he engaged in almost every phase of human activity. He was a farmer, sailor, railroad man, civil service employee, diplomat, hotelkeeper, and politician, as well as wit, author and clubman." Years ago he came to Hawaii with J. D. Spreckels and is most pleasantly remembered. A well-known picture represents him standing in Nuuanu cemetery at the grave of his old friend Tavenier.

SHOT WITH AN AIR GUN.

A native living at River and Vineyard streets picked up a little airgun last evening and aimed it at his female housekeeper, saying jokingly, "I'm going to shoot you." "Go ahead," she replied and he pulled the trigger. The small bullet imbedded itself in her forehead and she had to be taken to the hospital to have the lead extracted.

DELAY ACTION ON INJUNCTION

(From Thursday's Advertiser.)

No action was taken by Judge Robinson yesterday in connection with the order to show cause why a temporary injunction should not be granted, restraining Makino and thirty-two other Japanese from interfering with the operation of the Oahu Sugar Company. The hearing on the order was set for 4 o'clock yesterday afternoon. Attorney Kinney for the prosecution urged that the injunction case should be disposed of without delay while Attorney Lightfoot, for the defense, argued in favor of a continuance.

Mr. Kinney insisted that an early decision on the injunction question was of vital importance and that it was the usual procedure to dispose of cases of the kind with as much promptness as possible.

Judge Robinson finally decided that a continuance until Friday morning would be fair under the circumstances, the jury in the riot case now before the court being excused until Monday.

High Sheriff Henry was busy yesterday serving copies of the injunction bill of complaint upon the defendants named, service being had on J. Tasaka, M. Yamashiro, K. Kawamura, T. Saito, K. Ono, F. K. Makino, M. Negoro, M. Auchi, Migawa, Fuchino and Y. Soga.

Fuchino and Kawakami were arraigned in Judge De Bolt's department of the Circuit Court yesterday on the charge of falsely imprisoning Tsunoda, Tsuzuki and H. Tsunoda, next Wednesday being fixed as the day upon which they must enter a plea to the charge. The defendants were represented in court by Attorney Lightfoot.

Several witnesses were called for the defense yesterday in the riot cases and subjected to searching cross-examination at the hands of Attorney Kinney. They all made lame attempts to show that there was not a large gathering of Japanese at Waipahu on June 8 and that, in fact, they did not know what the police officers were there for.

Jotaro Mikawa, one of the leaders in the riot, was placed on the stand and according to his version of the affair it was simply a gathering of orderly Japanese for a discussion of the weather. Under the cross-examination by Kinney it was shown that Mikawa was a new arrival at the plantation, and although he admitted being in the crowd on June 8 at Waipahu he denied doing anything that could be construed as an act of violence.

Akiama, employed as a salesman in a Japanese store at Waipahu, was placed on the stand by the defense, but he could not or would not shed much light on the events leading up to the riot and apparently did not wish to commit himself one way or the other.

An early adjournment was taken to allow the hearing on the order to show cause in connection with the motion made by the attorneys for the Oahu Sugar Company for the issuance of a temporary injunction, restraining the members of the Higher Wage Association from interfering with the free and uninterrupted operation of the plantation.

NEEDFUL KNOWLEDGE

Honolulu People Should Learn to Detect the Approach of Kidney Disease.

The symptoms of kidney trouble are so unmistakable that they leave no ground for doubt. Sick kidneys excrete a thick, cloudy, offensive urine, full of sediment, irregular of passage or attended by a sensation of scalding. The back aches constantly, headaches and dizzy spells may occur and the victim is often weighed down by a feeling of languor and fatigue. Neglect these warnings and there is danger of dropsy, Bright's disease, or diabetes. Any one of these symptoms is warning enough to begin treating the kidneys at once. Delay often proves fatal.

You can use no better remedy than Doan's Backache Kidney Pills. Here's Honolulu proof:

Charles Coney of Cyclometer street, Honolulu, Hawaii, says: "I have been a hack driver for years and the constant exposure to the weather and much jumping off and on the vehicle caused my kidney complaint. My back was very lame and in my efforts for relief I tried a number of remedies, but did not find one that helped me. Reading about Doan's Backache Kidney Pills, I was led to get a box at the Hollister Drug Co. They removed the lameness in my back and benefited me greatly. I highly endorse this sterling remedy."

Doan's Backache Kidney Pills are sold by all druggists and storekeepers at 50 cents per box (six boxes \$2.50), or will be mailed on receipt of price by the Hollister Drug Co., Honolulu, wholesale agents for the Hawaiian Islands.

Remember the name, Doan's, and take no substitute.

FRESH PINES IN FROM WAHIAWA AND PUPOKEA

The machinery of the big pineapple cannery at Iwilei was turned over on Tuesday, and the canning season will be in full blast from now on, for the fruit is ripening fast.

Twenty cars of fresh pines arrived over the O. R. & L. road this day, including twelve cars from the new pineapple district of Pukea, the balance coming from Wahiawa, the pioneer district in the production of the world's finest pineapples. Part of this big shipment went to the Alameda for transportation to the Coast.

Included in the Hiloian's freight are several hundred tons of army stores for Fort Shafter and Schofield Barracks, and 150 tons of asphalt for paving.